

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of:)	
)	
Request for Waiver)	
)	CC Docket No. 02-6
by)	
)	
Mercer County School District)	
Princeton, VW)	

TO: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Mercer County School District ("Mercer"), Billed Entity # 126650, respectfully requests the Federal Communications Commission ("FCC" or "Commission") grant it a Waiver of the FY2019 Form 471 filing deadline for FCC Form 471 Application Numbers 191030333 and 191034672. This Request for Waiver is made pursuant to 54.719 through 54.723 of the Commission's rules.¹

Contact Information:

Rosa Kovacevich
Educational Funding Group, Inc.
CRN 16043587
E-rate Consultant to Mercer County School District
26650 Renaissance Parkway, Suite 2
Cleveland, OH 44128
Tel. 216-831-2626
Fax: 216-831-2822
rosa.kovacevich@naa.com

¹ 47 C.F.R. §§ 54.719–54.723

STATEMENT IN SUPPORT OF WAIVER

Although the Mercer County Board of Education approved the necessary contracts on 03/26/2019, FCC Forms 471 #191030333 and #191034672 were not certified until 03/29/2019 because the authorized signer was unavailable until that date. Since the applications were certified within two (2) days after the close of the FY2019 Window, which was well within the 14 day grace period granted by the Commission in recent years, Mercer respectfully requests the Commission to grant it a Waiver of the filing deadline and allow FCC Forms 471 #191030333 and #191034672 considered for funding as though timely filed within the Window. Mercer did its best to comply with all E-rate rules and intends no fraud, abuse or waste of program funds.

The Commission has repeatedly reiterated its authority under 47 C.F.R. §1.3 to waive rules for good cause shown and may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. See, *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). Additionally, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, supra.

Under the circumstances, a Waiver from the Commission will best serve the public interest and the interests of the students of the Mercer County School District.

Thank you for your consideration.

/s/ Linda Schreckinger Sadler, Esq.

On behalf of Educational Funding Group, Inc.